

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:15-CR-102

ZHANG YONGDI

PLEA AGREEMENT

The United States Attorney hereby proposes to the Court a plea agreement to be filed in this cause under Rule 11(c) of the Federal Rules of Criminal Procedure. Defendant has read and fully understands this plea agreement and approves same, realizing that the plea agreement is subject to acceptance or rejection by the Court. The plea agreement is as follows:

1. GUILTY PLEA: The defendant agrees to enter a **conditional plea**¹ of guilty under oath to Count One of the Indictment, which charges conspiracy to commit fraud in relation to access devices in violation of Title 18, United States Code, § 371 and which carries maximum possible penalties of 5 years imprisonment, a \$250,000.00 fine, restitution in the amount of loss, 3 years supervised release and a special assessment of \$100.00.

2. OTHER CHARGES: The United States agrees not to charge the defendant with any other offenses arising from or related to the above charge and to dismiss the remaining counts of the Indictment as to this defendant upon conclusion of sentencing on Count One.

3. RESTITUTION: The defendant understands that the Court may order restitution in accordance with the provisions of 18 U.S.C. § 3663 for all offenses committed and specifically agrees that restitution is not limited to the count of conviction.

¹ This is a "conditional plea" in that the defendant reserves the right to appeal the ruling issued by the United States District Court on 9-16-16, denying defendant's Motion to Suppress and Dismiss.

4. OTHER AUTHORITIES: This agreement does not bind any prosecuting authority of any state or any other federal district, nor does it bind the Attorney General of the United States with regard to any matter, criminal or civil, involving federal tax laws. Nor does this agreement bind the United States or any of its departments or agencies with regard to any civil or administrative actions or remedies.

5. VIOLATIONS OF THIS AGREEMENT: If defendant violates this agreement, all statements made pursuant hereto will be admissible against defendant, who hereby waives the provisions of Rule 11(f) of the Federal Rules of Criminal Procedure and Rule 410 of the Federal Rules of Evidence. Defendant may also, in that event, be prosecuted for all federal offenses, including perjury and false statements relating to this plea agreement.

6. ACKNOWLEDGMENTS: Apart from being advised of the applicability of the U.S. Sentencing Guidelines, and other than as set forth elsewhere in the plea documents, no promise or representation whatsoever has been made to defendant as to what punishment the Court might impose if it accepts the plea of guilty. This agreement fully reflects all promises, agreements, and understandings between the defendant and the United States Attorney. The defendant's agreement is knowing, free, and voluntary, and not the product of force, threat, or coercion. The defendant is pleading guilty because defendant is in fact guilty.

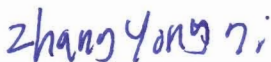
This the 3rd day of October, 2016.



FELICIA C. ADAMS, MS Bar 1049
United States Attorney

AGREED AND CONSENTED TO:

APPROVED:



ZHANG YONGDI
Defendant



JUSTIN S. CLUCK, MS Bar No. 100233
Attorney for Defendant